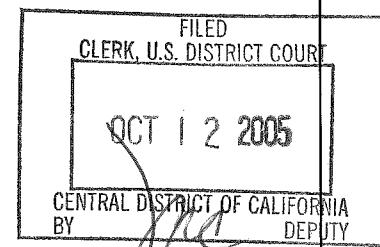


1 DEBRA WONG YANG
 2 United States Attorney
 3 WAYNE R. GROSS
 Assistant United States Attorney
 Chief, Southern Division
 4 GREGORY W. STAPLES
 Assistant United States Attorney
 California Bar Number: 145007
 5 411 W. Fourth Street, Suite 8000
 Santa Ana, California 92701
 6 Telephone: (714) 338-3535
 Facsimile: (714) 338-3561
 7 E-mail: Greg.Staples@usdoj.gov



8 Attorney for Plaintiff
 United States of America
 9

10 UNITED STATES DISTRICT COURT

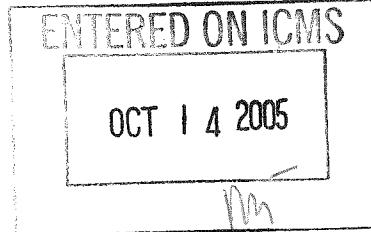
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 SOUTHERN DIVISION

13 UNITED STATES OF AMERICA,) No. SA CR 05-SA05 - 254
 14)
 15 Plaintiff,) GOVERNMENT'S EX PARTE
 16 v.) APPLICATION FOR ORDER SEALING
 17) INDICTMENT, ARREST WARRANT, AND
 18 ADAM GADAHN,) RELATED DOCUMENTS; DECLARATION
 19 a.k.a. Azzam al-Amriki,) OF GREGORY W. STAPLES
 20 Defendant.) (UNDER SEAL)
 21)

22 The government hereby applies ex parte for an order
 23 authorizing the indictment, the arrest warrant, this ex parte
 24 application, and any related documents in this case to be filed
 25 under seal and maintained under seal until such time as the
 26 government informs the Clerk's Office in writing that defendant
 has been taken into custody on the indictment or the government
 moves to unseal the documents, whichever occurs first.

27 //
 28 //
 //
 //
 //



8

1 This application is made pursuant to Federal Rule of
2 Criminal Procedure 6(e) (4) and is based on the attached
3 declaration of Gregory W. Staples.

4 DATED: This 11th day of October, 2005.

5 | Respectfully submitted,

6 DEBRA WONG YANG
United States Attorney

8 WAYNE R. GROSS
Assistant United States Attorney
Chief, Southern Division

~~GREGORY W. STAPLES~~
Assistant United States Attorney

12
13 Attorneys for Plaintiff
UNITED STATES OF AMERICA

1 DECLARATION OF GREGORY W. STAPLES

2 I, Gregory W. Staples, hereby declare and state:

3 1. I am an Assistant United States Attorney in the United
4 States Attorney's Office for the Central District of California
5 and in that capacity represent the government in the prosecution
6 of United States v. Adam Gadahn, aka Azzam al-Amriki. The
7 indictment in this case is being presented to a federal grand
8 jury in the Central District of California on October 12, 2005.

9 2. Defendant charged in this case has not been taken into
10 custody on the charge contained in the indictment and has not
11 been informed that he is named in the indictment to be presented
12 to the grand jury on October 12, 2005. The prospect of
13 apprehending Adam Gadahn, aka Azzam al-Amriki, may be jeopardized
14 if the indictment and any related documents were made publicly
15 available before defendant is taken into custody on the
16 indictment.

17 3. Accordingly, the government respectfully requests that
18 the indictment, arrest warrant, this application, and any related
19 documents in this case be filed under seal, subject to production
20 as necessary to apprehend defendant on the indictment. We
21 respectfully request that these documents be sealed until such

22 //

23 //

24 //

25 //

26 //

1 time as the government notifies the Clerk's Office in writing
2 that defendant has been taken into custody on the indictment or
3 the government moves to unseal the documents, whichever occurs
4 first.

5 I declare under penalty of perjury that the foregoing is
6 true and correct to the best of my knowledge and belief.

7 DATED: This 11th day of October, 2005.

8
9 GREGORY W. STAPLES
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28